



Attorney Docket No.: 0263421-0040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lombari, *et al.*

Examiner: To be assigned

Serial No.: 10/626,079

Art Unit: To be assigned

Filing Date: July 24, 2003

Title: IN-LINE FLOW THROUGH DIAPHRAGM TANK

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 27, 2004.

Susan M. Dinsmore

**TRANSMITTAL**

Enclosed herewith please find:

1. Executed Appointment of Attorney;
2. Executed Establishing Right of Assignee to Take Action (37 CFR 3.73 (b)); (2 pgs.);
3. Copy of Executed Assignment (2 pgs.); and
4. Return postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

Valarie B. Rosen, Ph.D.

Registration Number 45,698

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: October 27, 2004



ATTORNEY DOCKET NO.: 0263421-0040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lombari, et al. Examiner: To be assigned  
Serial No.: 10/626,079 Art Unit: To be assigned  
Filing Date: July 24, 2003  
Title: IN-LINE FLOW THROUGH DIAPHRAGM TANK

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**APPOINTMENT OF ATTORNEY**

On behalf of Flexcon Industries, the undersigned hereby appoints Choate, Hall & Stewart, Customer No. 24280 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Valarie B. Rosen, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: *J. Langley*  
Title: *Attala, Salter, Martens*  
Date: *10/19/04*

3755632v1



ATTORNEY DOCKET NO.: 0263421-0040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lombari, et al. Examiner: To be assigned  
Serial No.: 10/626,079 Art Unit: To be assigned  
Filing Date: July 24, 2003  
Title: IN-LINE FLOW THROUGH DIAPHRAGM TANK

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION (37 CFR 3.73(b))**

The assignee of the entire right, title and interest, **Flexcon Industries** hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

       documents already recorded in the PTO on \_\_\_\_\_.

Reel        Frame \_\_\_\_\_; and

Reel        Frame \_\_\_\_\_

X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

**STATEMENT**

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignee who seeks to take further action.

Wenoy Davis  
Signature

Wenoy Davis  
Name

V.P. Sales & Marketing  
Title

10/19/04  
Date

3755631v1

## A S S I G N M E N T

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Robert Lombari and Wei-Chiao Lo, hereby

Sell, assign and transfer to Flexcon Industries a Massachusetts corporation, having a place of business at **300 Pond Street, P. O. Box 782, Randolph, MA 02368**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed July 24, 2003 and entitled "In-Line Flow Through Diaphragm Tank," application serial no. 10/626,079 (attorney docket no. 0263421-0040) and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

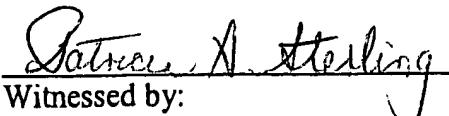
Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

Dated: 9/28/04



Robert Lombari

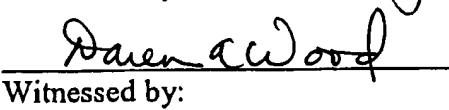
Dated: 9/28/04



Patricia A. Sterling

Witnessed by:

Dated: 9/28/04



Dawn Wood

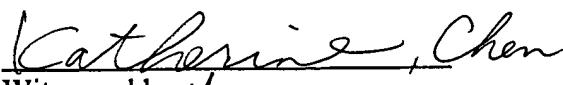
Witnessed by:

Dated: Sept. 3, 2004



Wei-Chiao Lo

Dated: Sept 3, 2004



Katherine Chen

Witnessed by:

Dated: Sept 3, 2004



Matt S.

Witnessed by:

3701503v1